ORIGINAL

June 6 2016

OF THE SUPREME COUR STATE OF MONTANA

Number: DA 16-0334

1	James R. Halverson	:	
	John L. Wright	Case	
2	HALVERSÕN, MAHLEN & WRIGHT, P.C.		
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3	P.O. Box 80470	TAXX TOTAL	
	Billings, MT 59108-0470	FILED	
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5	A C . A 11	JON O 6 ZOID	
	Attorneys for Appellants,	Ed Smith	
6	Beard Insurance Agency, Inc. and	CLERK OF THE SUPREME COURT	
7	Kenneth M. Beard	STATE OF MONTANA	
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8	IN THE SHIDDEME COLIDT OF THE	STATE OF MONITANIA	
0	IN THE SUPREME COURT OF THE STATE OF MONTANA		
	Supreme Court Course No.	A 1 2 OF MONTAINA	
Q	Supreme Court Cause No	A16-0334	
9	Supreme Court Cause No	A 1 6 - 0 3 3.4	
	Supreme Court Cause No BEARD INSURANCE AGENCY, INC.,)	A 1 6 - 0 3 3.4	
	Supreme Court Cause No	A16-0334	
.0	Supreme Court Cause No	A 1 6 - 0 3 3 4	
.0	Supreme Court Cause No BEARD INSURANCE AGENCY, INC.,)	A16-0334	
0	Supreme Court Cause No	A 1 6 - 0 3 3.4 NOTICE OF APPEAL	
9 .0 .1 .2	Supreme Court Cause No. BEARD INSURANCE AGENCY, INC., and KENNETH M. BEARD, Appellants,	A16-0334	
0 1 2	Supreme Court Cause No. BEARD INSURANCE AGENCY, INC., and KENNETH M. BEARD, Appellants,	A16-0334	
.0	Supreme Court Cause No. BEARD INSURANCE AGENCY, INC., and KENNETH M. BEARD, Appellants, vs.	A16-0334	
0 1 2	Supreme Court Cause No. BEARD INSURANCE AGENCY, INC., and KENNETH M. BEARD, Appellants, vs. ROY KAUFMAN and GEORGE	A16-0334	
0 1 2 3	Supreme Court Cause No. BEARD INSURANCE AGENCY, INC., and KENNETH M. BEARD, Appellants, vs. ROY KAUFMAN and GEORGE KAUFMAN, PARTNERS, KAUFMAN BROTHERS,	A16-0334	
0 1 2 3	Supreme Court Cause No. BEARD INSURANCE AGENCY, INC., and KENNETH M. BEARD, Appellants, vs. ROY KAUFMAN and GEORGE KAUFMAN, PARTNERS, KAUFMAN	A16-0334	

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NOTICE is given that BEARD INSURANCE AGENCY, INC., and KENNETH M. BEARD, the Appellants in the above-named cause and who are the Defendants in that cause of action filed in the Thirteenth Judicial District, in and for the County of Yellowstone, as Cause No. DV 15-0852, hereby appeals to the Supreme Court of the State of Montana from the ORDER AND MEMORANDUM DENYING DEFENDANTS' MOTION TO COMPEL ARBITRATION AND STAY PROCEEDINGS, DENYING DEFENDANTS' MOTION TO DISMISS, AND DENYING AS MOOT PLAINTIFFS' REQUEST FOR HEARING OR LEAVE TO FILE SUPPLEMENTAL BRIEF

1	entered in such action by the Ho	
2	2016. Pursuant to Frats v. Edwar	
3	compel arbitration is appealable.	
4	Mont. 377 (Mont. 1988).	
5	THE APPELLAN	
6	1. That this appeal is no	
7	by M.R.App.P. 7.	
8	2. That this appeal is no	
9	under M.R.Civ.P. 54	
10	3. That no hearings hav	
11	4. That included herewi	
12	DATED this 2 nd day of Ju	
13	DATED this 2 day of 30	
14		
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onorable Rod Souza on the 10th day of May, d D. Jones and Co., a denial of a motion to Frats v. Edward D. Jones and Co., 233

T FURTHER CERTIFIES:

- ot subject to the mediation process required
- ot an appeal from an order certified as final (b).
- re been conducted and no transcripts exist.
- ith is the filing fee prescribed by statute.

une, 2016.

IALVERSON, MAHLEN & WRIGHT, P.C. Attorneys for Appellants, leard Insurance Agency, Inc. and Lenneth M. Beard

JAMES R. HALVERSON

CERTIFICATE OF SERVICE BY MAILING

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I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of District Court, each attorney of record, each court reporter from whom a transcript will be ordered, and each party not represented by an attorney in the above-referenced District Court action on the 2 day of June, 2016, as follow:

JOHN L.

WRIGHT

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7 Yellowstone County Clerk of District Court PO Box 35030

Kristie Boelter

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Billings, MT 59107

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Thomas E. Towe

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& Turner, PLLP

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